



Wednesday, March 11, 2015

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- The House will reconvene for its 30th Legislative Day on Friday, March 13 at 9:30 a.m.
- The Rules committee will meet at 8:00 a.m.
- 27 bills / resolutions are expected to be debated on the floor.

## Today on the Floor

### Rules Calendar

#### **HB 72 Crimes and offenses; protection of disabled adults and elder persons; expand and clarify**

**Bill Summary:** This bill expands and clarifies certain measures designed to protect disabled adults and elderly persons. The most substantial change is the inclusion of "investment companies" and their employees as mandatory reporters for suspected abuse or exploitation of the elderly. The second major change authorizes the commissioner of Community Health (or his designee) to request a warrant to make inspections.

**Authored By:** Rep. Wendell Willard (51st)  
**House Committee:** Judiciary Non-Civil

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-04-2015 Do Pass

**Floor Vote:** Yeas: 169 Nays: 0

**Amendments:**

#### **HB 89 Drug-free commercial zones; date of incorporation of local ordinances by reference; change**

**Bill Summary:** This bill is the annual update to drug-free commercial zones and incorporates all drug-free commercial zones that have been properly adopted by municipal or county ordinance since 2013.

**Authored By:** Rep. Roger Bruce (61st)  
**House Committee:** Judiciary Non-Civil

**Rule Applied:** Modified-Open  
**Committee Action:** 02-18-2015 Do Pass

**Floor Vote:** Yeas: 167 Nays: 4

**Amendments:**

#### **HB 98 Appellate courts; provide direct appeals and appeals requiring an application for appeals pertaining to courts-martial; provisions**

**Bill Summary:** This legislation incorporating the recommendations of the 2014 House Study Committee on the Georgia Code of Military Justice. HB 98 repeals in its entirety Article 5 of Chapter 2 of Title 38, the Georgia Code of Military Justice (GCMJ), and enacts a new article emulating the Model State Code of Military Justice. HB 98 clarifies U.S. Code Title 32 (Full-Time National Guard) duty status of National Guard members so as to align it with U.S. Code Title 10 (Active) duty status in regard to rights, responsibilities, violation proceedings, and available punishment for continuity purposes.

**Authored By:** Rep. Christian Coomer (14th)  
**House Committee:** Judiciary

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-05-2015 Do Pass by Committee Substitute

**Floor Vote:** Yeas: 168 Nays: 0

**Amendments:**

#### **HB 103 Kelsey's Law; enact**

**Bill Summary:** This bill makes it a crime (misdemeanor) to intentionally cause a minor to be identified as someone in an obscene depiction in a way that a reasonable person would conclude that

the person in the image was the minor. This includes giving the minor's name, address, telephone number, or email address. This also includes the electronic imposing of the minor's face onto an obscene depiction. If the violation involves an individual who resides in the state of Georgia, the person will be subject to prosecution even if their conduct took place outside of the state. If the conduct takes place within the state, the person will be subject to prosecution even if it involves an individual who resides outside the state. The prohibition does not apply to law enforcement activities when investigating crimes or when the identification and image is made in anticipation of litigation. Also, the bill contains a non-merger of offenses clause.

**Authored By:** Rep. D. C. Belton (112th)

**House Committee:** Judiciary Non-Civil

**Floor Vote:** Yeas: 164 Nays: 0

**Rule Applied:** Modified-Structured

**Committee Action:** 03-02-2015 Do Pass by Committee Substitute

**Amendments:**

## **HB 114 Drivers' licenses; provide for use of paper eye charts for testing of noncommercial driver's vision; provisions**

**Bill Summary:** Section 1 relates to persons exempt from driver's license requirements by stating that any resident who is 15 years of age or over, while taking actual in-car training in a training vehicle, must be in a vehicle equipped with dual-controlled brakes and marked as a training vehicle.

Section 2 relates to school attendance requirements for the issuance, renewal, and expiration of instruction permits and drivers' licenses. The department shall not issue an instruction permit or driver's license to a person who is younger than 18 years of age, unless the applicant can prove at least one of the following, he or she: is enrolled in a public or private school and satisfies attendance requirements; is enrolled in a home education program and satisfies the reporting requirements; or has already received or is pursuing a high school diploma or general educational development (GED) diploma.

The department is also authorized to issue a limited driving permit to an applicant whose license is currently under suspension or revocation in any other jurisdiction.

Section 3 relates to application fees for drivers' licenses. The department shall waive the license fee for each person applying for a Class P noncommercial instruction permit for a Class C driver's license when the noncommercial knowledge test is to be administered by a licensed driver training school or public or private high school authorized to administer such tests.

Section 4 relates to examination of driver's license applicants by stating that no noncommercial driver's license shall be issued to any person who does not have a visual acuity of 20/60, corrected or uncorrected, in at least one eye or better.

Section 5 relates to the contents of drivers' licenses by stating that the department shall, upon payment of the required fee, issue to every applicant qualifying for a driver's license that indicates: the type or general class of vehicles the licensee may drive; which license shall be upon a form prescribed by the department; a driver's license number; a photograph of the licensee; the licensee's full legal name, and the licensee's signature. No license shall be valid until it has been signed by the licensee.

Section 6 relates to the denial or suspension of a driver's license for noncompliance with a child support order by stating that the department shall suspend the license of any driver who fails to pay child support.

Section 7 relates to the suspension of driving privileges for failure to respond to a citation by stating that the department shall suspend the driver's license or privilege to operate a motor vehicle in the State of Georgia of any person who has failed to respond to a citation to appear before a court of competent jurisdiction in this state or in any other state for a traffic violation other than a parking violation.

Section 8 relates to the suspension and reinstatement of drivers' licenses for persons under the age of 21. Any person under the age of 21 who has been convicted of a hit and run or leaving the scene of an accident, racing on highways or streets, using a motor vehicle in fleeing or attempting to elude an officer, reckless driving, or any offense for which four or more points are assessable or illegally purchasing alcohol shall have their license suspended by the department. Any person under the age of 18 who has accumulated a violation point count of four or more points in any consecutive 12-month period shall also have their license suspended by the department.

Section 9 relates to the revocation of drivers' licenses of habitual violators by stating that any person who is a habitual violator must be notified by the department that his or her driver's license has been revoked by operation of law and that it shall be unlawful for such habitual violator to operate a motor vehicle.

Section 10 grants limited driving permits for certain offenders solely for the following purposes: going to his or her place of employment/performing occupational duties; attending college or school at which he or she is regularly enrolled as a student; attending regularly scheduled sessions or meeting of treatment support organizations for persons who have addiction or abuse problems; and going for monthly monitoring visits with the permit holder's ignition interlock device service provider.

Section 11 states that the contents of personal identification cards must include: full legal name; address of residence; birth date; identification issue date; sex; height; weight; eye color; signature of person; and such other information required by the department.

Section 12 requires the contents of commercial drivers' licenses to include: full legal name; residential address; person's photograph; physical description including sex, height, weight, and eye color; date of birth; driver's license number; person's signature; class or type of commercial motor vehicle; state name; and dates the license is valid.

Section 13 mandates the contents of personal identification cards for persons with disabilities to include: full legal name; address of residence; birth date; date identification is issued and date when it expires; sex; height; weight; eye color; signature of person; and such other information as required by the department.

<b>Authored By:</b>	Rep. Kevin Tanner (9th)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Public Safety & Homeland Security	<b>Committee Action:</b>	02-19-2015 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 163 Nays: 1	<b>Amendments:</b>	AM 39 0104

### **HB 123 Motor vehicles; use of safety chain or cable when operating a motor vehicle drawing a trailer; provide**

**Bill Summary:** This legislation amends Georgia Code to adequately secure a load while operating a vehicle to include trailers. The bill requires that trailers are registered with the Department of Revenue for a license plate and makes it unlawful to operate a vehicle without adequately securing a trailer to that vehicle.

<b>Authored By:</b>	Rep. John Yates (73rd)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Public Safety & Homeland Security	<b>Committee Action:</b>	03-03-2015 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 167 Nays: 0	<b>Amendments:</b>	

### **HB 154 Magistrate courts; fine amount for contempt of court; increase**

**Bill Summary:** HB 154 increases the maximum fine for punishment of contempt in magistrate court from \$200 to \$500.

<b>Authored By:</b>	Rep. Tom Weldon (3rd)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Judiciary	<b>Committee Action:</b>	02-10-2015 Do Pass
<b>Floor Vote:</b>	Yeas: 76 Nays: 90	<b>Amendments:</b>	

**HB 204 Civil Practice Act; opposing affidavits shall be served in motions for summary judgment; change provisions**

**Bill Summary:** HB 204 amends the 'Civil Practice Act' to change the time fixed for a hearing on a motion for summary judgment from at least 30 days after the date of service of the motion to at least 45 days thereafter. The bill clarifies that a summary judgment motion may be decided by the judge without a hearing unless a party requests a hearing. The judge must permit a hearing on the motion if a party submits a written hearing request when filing a motion or within five days of filing a response to a motion.

The bill also requires a party opposing the summary judgment motion to serve any affidavits in opposition not later than seven days before the time fixed for hearing the motion, unless the court allows them to be served at another time. Current law allows these opposing affidavits to be served prior to the day of the hearing, and court decisions have interpreted "service" in that case to encompass mailing an affidavit. This has resulted in the party moving for summary judgment to be presented with opposing affidavits on the day of the hearing on the motion.

The bill also clarifies that opposing affidavits to motions other than summary judgment motions must be served not later than one business day, rather than one day, before the hearing on the motion. This provision prevents the party serving the opposing affidavit from service on a weekend day or holiday that falls on the day before the hearing.

**Authored By:** Rep. Beth Beskin (54th)  
**House Committee:** Judiciary

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-03-2015 Do Pass by Committee Substitute  
**Amendments:**

**Floor Vote:** Yeas: 169 Nays: 0

**HB 225 Local government; all for-hire drivers obtain a for-hire license endorsement before driving for hire; provide**

**Bill Summary:** Section 1 of HB 225 relates to certificates of public necessity and convenience and medallions for taxicabs by adding a new subsection that states that no person shall operate a taxicab for the purpose of carrying or transporting passengers for hire unless such person has a for-hire license endorsement pursuant to Code Section 40-5-39. Counties and municipalities shall not impose further licensing requirements on such persons.

Section 2 states each limousine chauffeur employed by a limousine carrier shall secure from the Department of Driver Services a for-hire license endorsement.

Section 3 defines: for hire, for-hire license endorsement, limousine carrier, ride share driver, ride share network service, and taxi service. "For hire" means to operate a motor vehicle in this state for the purpose of transporting passengers for compensation or donation. "For-hire license endorsement" means an endorsement to a driver's license pursuant to Code Section 40-5-39 that authorizes the holder of the license to operate a motor vehicle for the purpose of transporting passengers in this state for compensation or donation. "Limousine carrier" means any limousine company or provider which is licensed with this state. "Ride share driver" means an individual who uses his or her personal passenger car to provide transportation for passengers arranged through a ride share network service. "Ride share network service" means any person or entity that uses a digital network or internet network to connect passengers to ride share drivers for the purpose of prearranged transportation for hire or for donation, and "taxi service" means any taxicab company or provider which utilizes a motor vehicle or similar vehicle, device, machine, or conveyance to transport passengers; uses a taximeter; and is authorized to provide taxicab services pursuant to an ordinance of a local government in this state.

Section 4 relates to endorsements on licenses of limousine chauffeurs, and states that no person shall operate a motor vehicle for hire in this state unless such person has a for-hire license endorsement and has liability insurance coverage in the amounts required by law for the class of motor vehicle being operated for hire. This shall include, but not be limited to, ride share drivers and persons operating motor vehicles for limousine carriers and taxicabs for taxi services.

**Authored By:** Rep. Alan Powell (32nd)  
**House Committee:** Regulated Industries  
**Floor Vote:** Yeas: 160 Nays: 10

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-03-2015 Do Pass by Committee Substitute  
**Amendments:**

**HB 232 State Board of Hearing Aid Dealers and Dispensers; change certain provisions**

Bill Summary: HB 232 creates the State Board of Hearing Aid Dealers and Dispensers. The bill details the makeup of the board, requirements to be on the board, and sets the amount of continuing education required to renew a dispensary license at 20 hours.

**Authored By:** Rep. Amy Carter (175th)  
**House Committee:** Regulated Industries  
**Floor Vote:** Yeas: 165 Nays: 5

**Rule Applied:** Modified-Open  
**Committee Action:** 03-05-2015 Do Pass by Committee Substitute  
**Amendments:**

**HB 237 State income tax; angel investor tax credit; extend**

Bill Summary: HB 237 extends the Angel Investor tax credit, at the current capped amount of \$5 million, for calendar years 2016-2020. These credits may be only claimed two years after the credit has been created.

**Authored By:** Rep. Bruce Williamson (115th)  
**House Committee:** Ways & Means  
**Floor Vote:** Yeas: 170 Nays: 0

**Rule Applied:** Modified-Structured  
**Committee Action:** 02-26-2015 Do Pass by Committee Substitute  
**Amendments:** AM 34 0678

**HB 238 Sales and use tax; tangible personal property used for or in renovation or expansion of an aquarium owned or operated by an organization which is exempt from taxation under Section 501(c)(3) of Internal Revenue Code; provide exemption**

Bill Summary: HB 238 provides a two year sales tax exemption for certain renovation or expansion projects at qualified aquariums in the state. The exemption allows for up to \$750,000 in taxes to be exempted.

**Authored By:** Rep. Ben Harbin (122nd)  
**House Committee:** Ways & Means  
**Floor Vote:** Yeas: 142 Nays: 28

**Rule Applied:** Structured  
**Committee Action:** 03-03-2015 Do Pass by Committee Substitute  
**Amendments:**

**HB 259 Georgia Business Act; enact**

Bill Summary: HB 259, known as the 'Georgia Business Act,' provides an exemption for certain automobiles manufactured in Georgia from competitive bidding procedures, as well as increases the exemption threshold for competitive bidding procedures from \$5,000 to \$25,000.

**Authored By:** Rep. Terry Rogers (10th)  
**House Committee:** State Properties  
**Floor Vote:** Yeas: 153 Nays: 15

**Rule Applied:** Modified-Open  
**Committee Action:** 03-04-2015 Do Pass  
**Amendments:**

**HB 263 Criminal Justice Coordinating Council; advisory board to the council for juvenile justice issues; provide**

Bill Summary: HB 263 implements the recommendations of the Criminal Justice Coordinating council regarding the Juvenile code, family violence shelters, and social services. The changes allow the Criminal Justice Coordinating council to receive and distribute grants from the federal Department of Justice.

**Authored By:** Rep. Christian Coomer (14th)

**Rule Applied:** Modified-Structured

**House Committee:** Juvenile Justice  
**Floor Vote:** Yeas: 166 Nays: 0

**Committee Action:** 03-04-2015 Do Pass by Committee Substitute  
**Amendments:**

**HB 278 Public Employee Hazardous Chemical Protection and Rights to Know Act of 1988; transfer responsibility to Safety Fire Commissioner; provisions**

Bill Summary: HB 278 shifts the responsibility of managing and enforcing the 'Public Employee Hazardous Chemical Protection and Right to Know Act of 1988' from the Georgia Department of Labor to the Georgia Office of the Insurance and Safety Fire Commissioner.

**Authored By:** Rep. David Clark (98th)  
**House Committee:** Public Safety & Homeland Security  
**Floor Vote:** Yeas: 170 Nays: 0

**Rule Applied:** Modified-Open  
**Committee Action:** 03-03-2015 Do Pass by Committee Substitute  
**Amendments:**

**HB 279 Public officers and employees; annual salaries of Supreme Court Justices, Court of Appeals, superior court judges and district attorneys; repeal provisions**

Bill Summary: HB 279 provides for state salary supplements for specified judges of the superior courts, specified district attorneys, and specified circuit public defenders and revises the annual salaries for each Justice of the Supreme Court and each Judge of the Court of Appeals. Those superior court judges receiving a county salary supplement of less than \$30,000 as of February 15, 2015 shall receive a state salary supplement equal to the difference between the judge's county salary supplement and \$30,000. Those superior court judges regularly presiding in a drug court division, mental health court division, or veterans court division accountability court shall receive a state salary supplement of \$6,000. Those district attorneys receiving a county salary supplement of less than \$15,000 as of February 15, 2015 shall receive a state salary supplement equal to the difference between the district attorney's county salary supplement and \$15,000. Those circuit public defenders receiving a county salary supplement of less than \$15,000 as of February 15, 2015 shall receive a state salary supplement equal to the difference between the circuit public defender's county salary supplement and \$15,000. The bill also states that state salary supplements shall not be included when a local law provides for a salary to be based on a percentage of a superior court judge's salary, district attorney's salary, or a circuit public defender's salary. The Justices of the Supreme Court salaries are increased to \$179,210 and the Judges of the Court of Appeals salaries are increased to \$178,186. If funds are appropriated, all state salary supplements and salary enhancements are effective January 1, 2016.

**Authored By:** Rep. Jay Powell (171st)  
**House Committee:** Appropriations  
**Floor Vote:** Yeas: 142 Nays: 21

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-04-2015 Do Pass by Committee Substitute  
**Amendments:** AM 29 2375

**HB 288 Behavioral Health Coordinating Council; two additional members to serve on council; provide**

Bill Summary: HB 288 adds two members, appointed by the Governor, to the Behavioral Health Coordinating Council.

**Authored By:** Rep. Katie Dempsey (13th)  
**House Committee:** Health & Human Services  
**Floor Vote:** Yeas: 161 Nays: 7

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-02-2015 Do Pass by Committee Substitute  
**Amendments:**

**HB 303 Uninsured motorist coverage; recovery when an insurer refuses to pay for a loss within 60 days after a demand has been made by the insured and a finding has been made that such refusal was made in bad faith; change provisions**

Bill Summary: HB 303 relates to recovery under an insured's uninsured motorist coverage when the insurer makes a bad faith refusal to pay for a loss within 60 days after a demand has been made by the insured. Currently, upon a finding of bad faith, the insurer is liable to the insured (in addition to any recovery under the insured's policy) for not more than 25 percent of the recovery and all reasonable

attorney's fees.

HB 303 amends the insurer's liability in the event of a bad faith refusal to pay to allow for a penalty of \$25,000 or 25 percent of the insured's recovery, whichever is greater. The judge may also award the insured reasonable attorney's fees and expenses of litigation that were incurred in prosecuting the case after the 60th day of the insured's demand.

The bill also provides that the insured's demand for payment from the insurer must be in writing.

**Authored By:** Rep. Dustin Hightower (68th)  
**House Committee:** Judiciary

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-03-2015 Do Pass by Committee Substitute

**Floor Vote:** Yeas: 153 Nays: 14

**Amendments:**

#### **HB 304 Criminal procedure; fixing of sentence; clarify service of consecutive sentences**

Bill Summary: This bill instructs the Department of Corrections, when computing the length of consecutive sentences, to begin mandatory probation periods only after the confinement portion of the sentences is served.

**Authored By:** Rep. Dustin Hightower (68th)  
**House Committee:** Judiciary Non-Civil

**Rule Applied:** Modified-Open  
**Committee Action:** 02-18-2015 Do Pass

**Floor Vote:** Yeas: 169 Nays: 0

**Amendments:**

#### **HB 308 Income tax; revise tax credit for rehabilitation of historic structures; provisions**

Bill Summary: HB 308 extends the limitation on tax credits for the historic preservation tax credit. Current law allows for a maximum amount of tax credits for a certified structure to be limited to \$300,000. The legislation would raise the cap to \$5 million per project, as well as placing a cap on the total program cost of \$25 million per year.

**Authored By:** Rep. Ron Stephens (164th)  
**House Committee:** Ways & Means

**Rule Applied:** Structured  
**Committee Action:** 03-09-2015 Do Pass by Committee Substitute

**Floor Vote:** Yeas: 147 Nays: 22

**Amendments:**

#### **HB 310 Penal institutions; create Board of Community Supervision, Department of Community Supervision, and Governor's Office of Transition, Support, and Reentry; provisions**

Bill Summary: HB 310 creates: the Board of Community Supervision; the Department of Community Supervision; and the Governor's Office of Transition, Support, and Reentry. These agencies assume the duties related to probation and parole previously held by other state agencies. Also, the bill provides several changes to the law governing probation for misdemeanors.

HB 310 creates the Board of Community Supervision (the "Board") which establishes the general policies to be followed by the Department of Community Supervision ("DCS") and the Governor's Office of Transition, Support, and Reentry.

The bill transfers the powers of several state agencies to the newly established Board including the powers, duties, and functions of: the Board of Corrections, with regard to the Department of Corrections' probation division; the Board of Pardons and Paroles, with regard to the supervision of parolees; the Board of Juvenile Justice and Department of Juvenile Justice, with regard to the probation and supervision of certain youthful offenders; and the County and Municipal Probation Advisory Council.

The transfers become effective July 1, 2015 with the exception of the transfer of power from the Board of Juvenile Justice and Department of Juvenile Justice, which is effective on July 1, 2016.

Eleven members make up the board, six of whom will serve for the entire time they remain in their

appointed positions. These six members are the: commissioner of corrections, commissioner of juvenile justice, chairperson and vice chairperson of the State Board of Pardons and Paroles, director of the Division of Family and Children Services of the Department of Human Services, and commissioner of behavioral health and developmental disabilities. The other five members are appointed by the governor and serve terms of varying lengths. These members will consist of a: sheriff, superior court judge, juvenile court judge, mayor or city manager, and county commissioner. Vacancies in office are filled by appointment by the governor. A chairperson is also elected by the Board's membership.

The Board is required to adopt rules and regulations governing the management and treatment of probationers and parolees. These rules must ensure that the Board's decisions regarding probationer and parolee management are guided by practices that have been shown by scientific research to reduce recidivism.

The Board must also require the DCS to collect and analyze certain data regarding the type and effectiveness of treatments given to probationers and parolees. The DCS must prepare an annual report of this information and submit it to various elected officials. In Section 3-2 line 1119, the bill gives the board the authority and duty to consult with and seek input from an advisory council. Such council will be composed of a: state court judge, municipal court judge, probate court judge, magistrate judge, criminal defense attorney appointed by the governor, and private probation officer or an expert in private probation appointed by the governor.

Finally, the Board must promulgate rules requiring probation officers to register and pay a fee for such registration. These rules must also provide for the imposition of sanctions and fines for officer misconduct.

HB 310 also creates the Department of Community Supervision (DCS) which is the agency primarily responsible for supervision of: defendants who receive a felony sentence of straight probation; defendants who receive a split sentence; defendants placed on parole or other conditional release; and, certain juvenile offenders released from confinement.

The DCS is also responsible for administering and enforcing laws, rules, and regulations related to probation and parole supervision. Within the DCS, a victim services unit will be established to coordinate the payment of court-ordered restitution and other victims' services.

A commissioner of community supervision, a salaried position to be appointed by the governor, is responsible for supervising, directing, and executing the functions of the DCS. With approval of the board, the commissioner is authorized to make and publish rules and regulations related to the administration of probation and parole supervision. Until the commissioner does so, the effective rules and regulations will be those previously adopted by the agencies that, pursuant to this bill, transferred their probation and parole supervision duties to the Board. Finally, the commissioner may prescribe forms, confer powers of police officers on its employees, and allow certain employees to assist law enforcement officers in preserving order and peace.

The state agencies that transfer their duties and powers to the newly-created DCS, must also transfer personnel, equipment, and facilities to the DCS. Additionally, appropriations to these agencies will also be transferred to the DCS.

HB 310 allows a DCS or community supervision office to purchase vending machines or contract with vending services if the operation of such services is capable of generating a profit. The profits generated from these services go to an "employee benefit fund" which, with some restrictions, may be expended on items or activities that benefit employees of the office. Examples include recognizing the birth of an employee's child, events that foster camaraderie amongst employees, or training sessions. The bill provides monetary limitations on how much may be spent on these items or events.

HB 310 creates the Governor's Office of Transition, Support, and Reentry (the "Office") in order to administer rules and regulations that promote successful offender reentry. The duties and powers related to reentry services of the State Board of Pardons and Paroles, Department of Corrections, and



Board/Department of Juvenile Justice are transferred to the Office. Personnel, equipment, and facilities of these agencies are also transferred this newly created Office. Finally, appropriations to these agencies related to reentry service functions are also transferred to the Office.

A director of the Office, a salaried position appointed by the governor, will be responsible for supervising, directing, organizing, planning, administering, and executing the functions of the Office. The director is authorized to establish units within the Office and designate assistant directors of each unit.

The commissioner of the DCS and the director of the Governor's Office of Transition, Support, and Reentry hold positions that are separate and distinct from any other position in state government. These officers are authorized to employ, assign, compensate, and discharge employees; however, no DCS employee or person performing services for the Office may be compensated on a commission or contingent fee basis. Neither the commissioner of the DCS, the director of the Office, nor any employee thereof may be given any anything of value in addition to their compensation.

HB 310 makes it a misdemeanor for a community service officer to use an offender for any purpose resulting in private gain to any individual. This prohibition does not apply to services provided to a disabled person under the newly created O.C.G.A. §42-3-52, work on private property because of a natural disaster, or if the services are performed pursuant to an order by the court.

The bill also requires agencies that wish to participate in a community service program to submit an application letter to the court showing eligibility, number of offenders capable of being placed in the agency, the type of work to be performed, and provisions for supervision. The court will then assign offenders to work for the agency.

This bill also provides immunity from liability for acts performed by community service officers while the officers are participating in a community service program. The immunity does not apply to acts that are grossly negligent, reckless, or willful.

The bill next provides that community service may be considered as a condition of probation. Primary consideration will be given to traffic violation offenders, ordinance offenders, offenders convicted of non-injurious or nondestructive, nonviolent misdemeanors or felonies. If community service is ordered as a condition of probation, the court shall order not less than 20 hours and no more than 250 hours in cases involving traffic/ordinance violations or misdemeanors, such service to be completed within one year. In felony cases, the court shall order not less than 20 hours and no more than 500 hours, such service to be completed within three years. A written report evaluating the offender's performance must be prepared by the community services officer to be used to determine if conditions of probation have been satisfied.

The court may also authorize an offender to serve as a live-in attendant for a disabled person if both the offender and disabled person agree and such service is deemed appropriate by the court. Such service shall last, at most, two years. The arrangement can be terminated upon request by the offender or disabled person, and the agency must frequently ensure the safety and welfare of the disabled person by maintaining personal contact. If an offender providing these services is later incarcerated, they may be awarded time for good time for each day of live-in community service.

The court may also order an offender to perform 40 hours of community service per week in lieu of incarceration. A court may also add community service hours to the original court ordered hours as a disciplinary action, as an additional requirement of any program in lieu of incarceration, or as part of the sentencing options system in Article 6 of this chapter.

HB 310 allows the DCS to establish and operate pretrial release and diversion programs as rehabilitative measures for persons charged with felonies for which bond is permissible; however, unanimous approval of the superior court judges, the district attorney, and the sheriff of the county is required in each county before these programs may be established.

Upon the application by the person charged with a felony for which bond is permissible, a court may

release the person prior to conviction to the supervision of a pretrial release or diversion programs after an investigation and upon recommendation of the staff of the program. A person must voluntarily agree to participate in the pretrial release or diversion program and knowingly and intelligently waive his or her right to a speedy trial for the period of pretrial release or diversion. Finally, the judge having jurisdiction over the case must approve of the release in writing. Under this bill, the Georgia Department of Labor may still enter into agreements with district attorneys in order to establish and operate pretrial intervention programs.

HB 310 allows a county to establish diversion programs and centers for the confinement of persons who have violated court orders granting alimony or child support. Under certain conditions, a person confined in a diversion center may be allowed to travel to and from his or her place of employment. If not traveling to and from work, the person shall be confined to the diversion center and will continue to be responsible for alimony and child support. The person may also be required to pay for the costs of his or incarceration at the center as well as the cost of administering the program. A judge is authorized to provide other methods of incarceration if the person fails to comply with requirements imposed upon him or her.

This bill allows a sentencing judge to require defendants sentenced to probation to be ordered to a "sentencing options system" which allows the DCS, as an alternative to judicial modifications or revocations, to sanction probationers who violate terms and conditions of their probation. The sentencing judge still retains jurisdiction over a defendant ordered to the sentencing options system. Before a sanction is imposed, there must be an administrative hearing to determine, by a preponderance of the evidence, if a probation violation has occurred. The determination is reviewable by the senior hearing officer if the offender files a request for review within 15 days of the decision. In turn, this decision is reviewable by the sentencing court. The sanctions include a confinement to a probation detention center or substance abuse treatment facility, probation boot camp, day reporting center, intensive probation, electronic monitoring, community service, or probation supervision.

If a probationer who has been ordered to this system is arrested on a warrant for an alleged probation violation, a preliminary hearing is required within, at most, 15 days. This hearing is not required if the probationer was not under arrest on a warrant, the probationer signed a waiver of a preliminary hearing, or if the administrative hearing is scheduled to be heard within 15 days of arrest. The system will only apply in judicial circuits where DCS has allocated certified hearing officers.

HB 310 adds language that requires the chief judge of a municipal court that has contracted for probation services to initiate the termination of that contract. The termination is subject to approval by the governing authority of the municipality or consolidated government which entered into the contract.

If a defendant has violated an ordinance or committed a misdemeanor, this bill allows a court with original jurisdiction to stay or suspend the execution of a sentence or place the defendant on probation if the court determines that the defendant is not likely to engage in an unlawful course of conduct and justice does not require the defendant to suffer the penalty imposed by law. The period of probation cannot exceed the maximum amount of confinement which could be imposed on the defendant.

The court may also require the defendant to pay a fine or fee as a condition of probation. The court may also require the defendant to pay a probation fee if the probation requires supervision. When considering any amount imposed on a defendant, other than when the amount imposed is for restitution, the court may consider the financial situation of the defendant and the goal of the punishment imposed. A court may also convert fines, statutory surcharges and probation supervision fees to community service.

If a court determines that the defendant has a significant financial hardship or inability to pay, the court must waive, modify, or convert fines or other moneys assessed. There is a presumption of significant financial hardship when a person has a developmental disability, is totally and permanently disabled, is indigent or released from confinement within the last 12 months and was incarcerated for at least 30 days before his or her release. Additionally, absent a waiver, a hearing is required before a court may revoke a probationary sentence for failure to pay fines or fees. If the

probation is revoked, the court must make a written determination that the probationer has not made good faith efforts to pay and the failure was willful.

This bill also provides that a sentencing judge will retain jurisdiction over any person placed on probation for the entire term of the person's probated sentence. The judge may revoke, rescind, modify, or toll the sentence at any time during the probated sentence.

In revocation hearings, the court must consider alternatives to confining the probationer. If a person violates probation by failing to report to probation or failing to pay fines or fees, and an alternative is not warranted, the court must revoke the balance of probation or a period no more than 120 days in confinement, whichever is less. If a person violates probation by failing to comply with any other provision of probation, and an alternative is not warranted, the court must revoke the balance of probation or a period of no more than two years in confinement, whichever is less.

If a defendant is only under probation supervision for his or her failure to pay court imposed fines or statutory surcharges, probation supervision fees cannot exceed three months of ordinary probation supervision fees.

If the defendant's sentence is later converted to one that requires community supervision, the court may reinstate probation supervision fees to monitor the defendant's compliance with community service obligations.

A court must determine the terms and conditions of probation including, but not limited to, requirements that the probationer:

avoid injurious and vicious habits, avoid harmful or disreputable places, report to the probation officer, permit a probation officer to visit the probationer's home, work at a suitable place of employment, remain at a specified location, pay restitution or reparation to an aggrieved person or municipality, support the probationer's legal dependents, not violate any law, allow extradition to this state, submit drug or mental health screenings, wear a tracking device, wear an alcohol or drug monitoring device, or complete substance abuse or mental health treatment.

A probated sentence may be tolled if it is established by affidavit of the probation officer that the probationer has failed to report despite efforts to contact the probationer. If after receiving notice of the probation officer's intent to seek a tolling order, and thereafter reported to the officer within a certain amount of time, the probationer may be entitled to a hearing to consider whether the probation sentence should be tolled.

Any unpaid fines or other moneys owed as a condition of probation are due when the probationer is arrested. If the entire probation is revoked, all of the conditions of probation, including owed money, are negated by the imprisonment. If only part of the probation is revoked, the court determines the probationer's responsibility for unpaid fines or other moneys owed.

Any private probation company that contracts with a municipality to provide services must report to the board and the judge who entered into the contract on a quarterly basis the amount of fees collected and the nature of such fees as well as the number of community service hours performed by probationers and a list of any other service for which the probationer was required to pay to attend. Once a year, this information must also be reported to the governing authority that entered into the private probation contract.

A probationer must be provided with a written receipt each time he or she makes a payment. Also, upon request, a probationer must be given a copy of his or her own probation file. One of these requests will be processed for free, but the probationer will be required to pay a fee for each subsequent request. The Board shall promulgate rules and regulations to clarify what information, such as victim information, shall be withheld from these files. Probationers shall be able to seek an in camera inspection of the entire file if they contend that report of the information is being improperly withheld.

This bill also requires that certain rules and regulations of the board will be subject to disclosure. This includes rules and regulations regarding: agreements for the provision of probation services, the conduct of business by private probation companies, local governments establishing probation

systems, and guidelines of private probation companies.

The bill requires private probation companies to register with the board before entering into any contract to provide services. If a company was registered with the County and Municipal Probation Advisory Council on or before June 30, 2015, they shall be deemed to be registered with the board.

After January 1, 2016, in order for a person to be a community service officer, he or she must complete the basic training course for supervision of probations and parolees certified by the Peace Officer Standards and Training Council.

Currently, many defendants facing a probation revocation proceeding are denied an opportunity to enter into a felony accountability court program as part of their revocation sentence due to having insufficient time remaining on their original sentence sufficient to complete the program. This bill would permit the defendant under such circumstances to voluntarily agree to an extension of his or her original sentence for a period not to exceed three years to permit the defendant to enter and complete a felony accountability court program. Upon graduation, the balance of the extended probation sentence may be modified by the court.

This bill also revises language to incorporate "Community Supervision Officers," instead of or in addition to "probation officers," into applicable sections of the Code. References to probation officers and the Board of Pardons and Paroles are removed from sections where they no longer apply.

Superior Court fees may not be charged to a person filing a petition under the first offender act.

The list of persons subject to special rules for sexual assault because of their supervisory role is expanded from "probation or parole office" to "community supervision office, county juvenile probation office, Department of Juvenile Justice juvenile probation office, or probation office."

After July 1, 2015, defendants serving a split sentence will have their probation supervised by the DCS instead of the State Board of Pardons and Paroles. "Split sentence," in the context of criminal sentencing, means any felony sentence requiring imprisonment followed by probation. The DCS does not have jurisdiction to supervise probation for misdemeanor offenses unless that probation runs concurrent to the probation for a felony offense or the court orders such supervision. A new subsection is added to the State Sexual Offender Registry that requires the DCS to keep all records of registered sexual offenders until the death of that offender. HB 310 provides specific guidance regarding who must inform a defendant of his or her eligibility as a first offender. If an attorney represents the defendant, the attorney is responsible for informing the defendant. If the defendant is pro se, the court shall inquire as to the defendant's desire to be sentenced as a first offender. When imposing the sentence, the court will ensure the defendant is aware of the consequences of entering a first offender plea. Individuals who were eligible for first offender treatment, but not informed of their ability to receive such treatment, may petition the Superior Court for discharge or exoneration under the first offender statute with the permission of the prosecutor. The court shall hold a hearing on the petition and consider any evidence introduced by the petitioner or the prosecuting attorney and any other relevant evidence. If the court finds a preponderance of the evidence supports the defendant's contention that they were eligible for first offender treatment and justice is served, the court may retroactively apply first offender treatment and the GBI must modify their records accordingly.

The duties of the State Board of Pardons and Paroles is no longer charged with supervising persons placed on parole or aiding parolees and probationers with securing employment.

**Authored By:** Rep. Alan Powell (32nd)  
**House Committee:** Judiciary Non-Civil

**Floor Vote:** Yeas: 164 Nays: 5

**Rule Applied:** Modified-Structured  
**Committee:** 03-02-2015 Do Pass by Committee  
**Action:** Substitute  
**Amendments:** AM 29 2374-EC

**HB 313 Public employees; limited paid leave for purpose of promoting education; authorize**

Bill Summary: House Bill 313 gives full-time, non-temporary employees of the State of Georgia or any branch, department, board, bureau, or commission of the state the right to apply for up to eight hours of paid leave per calendar year in order to promote education in Georgia.

**Authored By:** Rep. Robert Dickey (140th)  
**House Committee:** Education

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-04-2015 Do Pass  
**Amendments:**

**Floor Vote:** Yeas: 168 Nays: 2

**HB 314 Professions and businesses; State Board of Barbers and State Board of Cosmetology; combine**

Bill Summary: HB 314 provides for the combination of the Georgia State Board of Cosmetology and the Georgia State Board of Barbers into one board. The bill makes changes to the requirements for the composition of the board, adjusts the renewal period for certificates of registration, and provides for changes and definitions related to the combination of the two existing boards.

**Authored By:** Rep. Jan Tankersley (160th)  
**House Committee:** Regulated Industries

**Rule Applied:** Modified-Open  
**Committee Action:** 03-03-2015 Do Pass by Committee Substitute  
**Amendments:**

**Floor Vote:** Yeas: 167 Nays: 3

**HB 319 Taxes; provide for legislative findings concerning gasoline and aviation fuel; provisions**

Bill Summary: HB 319 codifies the Governor's Executive Order 12.05.14.02, which suspends the collection of any motor fuel taxes that differed from that of the taxes levied as of June 1, 2014.

**Authored By:** Rep. Chad Nimmer (178th)  
**House Committee:** Ways & Means

**Rule Applied:** Structured  
**Committee Action:** 02-26-2015 Do Pass  
**Amendments:**

**Floor Vote:** Yeas: 168 Nays: 0

**HB 338 Courts; collection of a fee to defray costs associated with electronic citations; provisions**

Bill Summary: This legislation allows for the establishment of a \$5 fee to be assessed on Title 40 violation citations. These fees would be put into an established fund for local governments to pay for the creation and maintenance of an electronic citation system.

**Authored By:** Rep. Eddie Lumsden (12th)  
**House Committee:** Public Safety & Homeland Security

**Rule Applied:** Modified-Open  
**Committee Action:** 02-19-2015 Do Pass  
**Amendments:**

**Floor Vote:** Yeas: 39 Nays: 127

**HB 341 Buildings and housing; certain qualified inspectors may be certified by Building Officials' Association of Georgia; provide**

Bill Summary: HB 341 amends the definition of "qualified inspector," regarding state buildings, plumbing, and electrical codes, to include inspectors who have a certification from the Building Officials' Association of Georgia.

**Authored By:** Rep. Howard Maxwell (17th)  
**House Committee:** State Properties

**Rule Applied:** Modified-Open  
**Committee Action:** 03-04-2015 Do Pass  
**Amendments:**

**Floor Vote:** Yeas: 172 Nays: 0

**HB 347 Interest and usury; interest on certain domestic relations cases; clarify provisions**

Bill Summary: HB 347 specifies that interest begins to accrue on all monetary rulings rendered pursuant to Title 19 (including child support, alimony, and equitable division of assets) 30 days after such ruling is entered or an installment payment is due, unless a judge modifies the date on which

interest begins to accrue. The bill also allows a judge to modify the date when interest begins to accrue on installment payments pursuant to a ruling for alimony or equitable division of assets and liabilities.

**Authored By:** Rep. Dustin Hightower (68th)  
**House Committee:** Judiciary  
**Floor Vote:** Yeas: 170 Nays: 1

**Rule Applied:** Modified-Open  
**Committee Action:** 03-03-2015 Do Pass by Committee Substitute  
**Amendments:**

**HB 352 Criminal procedure; change provisions relating to discovery in misdemeanor cases; provisions**

Bill Summary: HB 352 brings discovery in misdemeanor cases, regarding criminal procedure, in line with felony cases.

**Authored By:** Rep. Brian Strickland (111th)  
**House Committee:** Judiciary Non-Civil  
**Floor Vote:** Yeas: 168 Nays: 1

**Rule Applied:** Modified-Open  
**Committee Action:** 03-04-2015 Do Pass by Committee Substitute  
**Amendments:**

**HB 361 Juvenile Code; enact reforms as recommended by Georgia Council on Criminal Justice reforms; provisions**

Bill Summary: HB 361 represents an on-going effort between the Criminal Justice Reform Council and all stakeholders to harmonize the Juvenile Justice Code provisions originally passed as HB 242 in 2013 within the existing statute. Superior court judges are given explicit factors to consider for transferring cases to juvenile court. The bill also clarifies that 17-year olds, who are treated as adults for all other criminal offenses, will also be treated the same way for traffic offenses. Also, the Code is amended to clarify that district attorneys and general counsels for police departments are authorized to file petitions in juvenile court for children in need of services.

**Authored By:** Rep. Andrew Welch (110th)  
**House Committee:** Juvenile Justice  
**Floor Vote:** Yeas: 169 Nays: 0

**Rule Applied:** Modified-Open  
**Committee Action:** 03-04-2015 Do Pass by Committee Substitute  
**Amendments:**

**HB 374 Ad valorem tax; certain farm equipment held for sale in dealer inventory; exempt**

Bill Summary: HB 374 clarifies the definition of farm equipment to include forestry machinery as equipment that is exempted from ad valorem taxation while held in a dealer's inventory.

**Authored By:** Rep. Randy Nix (69th)  
**House Committee:** Ways & Means  
**Floor Vote:** Yeas: 165 Nays: 0

**Rule Applied:** Structured  
**Committee Action:** 03-03-2015 Do Pass  
**Amendments:**

**HB 396 Revenue and taxation; clarify penalty for failure to file return or pay revenue held in trust for the state; provisions**

Bill Summary: HB 396 clarifies the penalty section of Title 48 to require that the interest rate accrues from the date that such penalty is assessed for failure to pay taxes in a timely manner. Additionally, the legislation adds sheriffs to those with whom it is illegal to interfere with when attempting to execute a tax sale.

**Authored By:** Rep. David Knight (130th)  
**House Committee:** Ways & Means  
**Floor Vote:** Yeas: 169 Nays: 0

**Rule Applied:** Structured  
**Committee Action:** 03-03-2015 Do Pass by Committee Substitute  
**Amendments:**

**HB 408 Excise tax; rooms, lodging and accommodations; clarify application of certain provisions to certain municipalities**

Bill Summary: HB 408 allows two municipalities which were created after the original bond issue for the Georgia Dome to utilize the proceeds of the city's hotel/motel tax for purposes other than paying the bonded indebtedness following the complete payment of such bonds.

**Authored By:** Rep. Wendell Willard (51st)  
**House Committee:** Ways & Means

**Rule Applied:** Structured  
**Committee Action:** 03-09-2015 Do Pass

**Floor Vote:** Yeas: 170 Nays: 0

**Amendments:**

**HB 428 Sales and use tax; materials to be used in certain construction projects of zoological institutions; extend exemption**

Bill Summary: HB 428 provides for a sales and use tax exemption for any qualified zoological organization for a two-year period. This exemption provides for a complete exemption at the local level and a capped exemption of \$350,000 at the state level. Administration of such exemption will be conducted through the qualified organization paying the sales tax at the time of purchase of the personal property and submitting a refund request to the state in accordance with the applicable limits.

**Authored By:** Rep. Ron Stephens (164th)  
**House Committee:** Ways & Means

**Rule Applied:** Structured  
**Committee Action:** 03-05-2015 Do Pass by Committee Substitute

**Floor Vote:** Yeas: 147 Nays: 22

**Amendments:**

**HB 439 Georgia New Markets Jobs Act; enact**

Bill Summary: House Bill 439 creates the 'Georgia New Market Jobs Act,' which allows insurance companies to make investments in qualified small businesses in low-income communities.

**Authored By:** Rep. Jason Shaw (176th)  
**House Committee:** Insurance

**Rule Applied:** Modified-Open  
**Committee Action:** 03-04-2015 Do Pass by Committee Substitute

**Floor Vote:** Yeas: 151 Nays: 18

**Amendments:**

**HB 457 Ad valorem tax; watercraft held in inventory; exempt**

Bill Summary: HB 457 provides for an exemption from ad valorem taxes for watercraft which are held in inventory by dealers. The exemption would apply for calendar years beginning on or after January 1, 2016.

**Authored By:** Rep. Lee Hawkins (27th)  
**House Committee:** Ways & Means

**Rule Applied:** Structured  
**Committee Action:** 03-03-2015 Do Pass by Committee Substitute

**Floor Vote:** Yeas: 168 Nays: 0

**Amendments:**

**HB 461 Secondary metals recyclers; buying and selling regulated metal property; change certain provisions**

Bill Summary: HB 461 clarifies and expands Article 14 of Chapter 1 of Title 10 relating to secondary metals recyclers. The bill prohibits secondary metals recyclers from purchasing catalytic converters unless the catalytic converter is attached to a vehicle or purchased from a used motor vehicle dealer or used motor vehicle parts dealer, a new motor vehicle dealer, a motor vehicle repairer, a manufacturer or distributor of catalytic converters, a seller with verifiable documentation, or a secondary metals recycler with proof of registration. The bill also eases the requirements for a secondary metals recycler to be able to purchase a burial object from manufacturers or distributors of burial objects by eliminating the need for a letter by the owner expressly recognizing the seller as an

employee or authorized agent of the manufacturer or distributor. Also, the bill expands the list of required records a secondary metals recycler must keep to include the name and date of birth of the seller or deliverer. The database documenting all transactions by secondary metals recyclers shall be maintained by the Georgia Bureau of Investigation (GBI) and be considered a trade secret. The GBI database is accessible and searchable by all law enforcement agencies and employees of electric suppliers and telecommunications companies provided that the employees are licensed private detectives or Georgia POST certified. It is unlawful for employees of electric suppliers and telecommunications companies to use the database for any purpose other than the investigation of alleged theft of regulated metal property.

**Authored By:** Rep. Jason Shaw (176th)  
**House Committee:** Regulated Industries  
**Floor Vote:** Yeas: 165 Nays: 2

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-05-2015 Do Pass by Committee Substitute  
**Amendments:**

#### **HB 464 Income tax; water conservation facilities and a shift from ground-water usage; sunset tax credit**

Bill Summary: HB 464 places a sunset of December 31, 2016 on three income tax credits and places an annual cap on one of the three credits. The two credits which are to be sunset are: §48-7-40.10, the tax credit for water conservation facilities and qualified water conservation investment property; and §48-7-40.11, the tax credit for shift from ground-water usage. The credit which will both be sunset and have a cap placed upon it is §48-7-29.12, the tax credit for qualified donation of real property; carryover of credit; appraisals; transfer of credit; and penalty. The cap is to be \$30 million and be effective for calendar year 2016.

**Authored By:** Rep. Bruce Williamson (115th)  
**House Committee:** Ways & Means  
**Floor Vote:** Yeas: 171 Nays: 0

**Rule Applied:** Structured  
**Committee Action:** 03-03-2015 Do Pass by Committee Substitute  
**Amendments:**

#### **HB 502 Elementary and secondary education; update and clarify provisions and repeal obsolete provisions**

Bill Summary: HB 502 repeals, amends, and revises Title 20:

§1. Repeals subsection (d) of Code Section 20-2-51. Subsection (d) prohibits any county board of education member in a county with a population between 500,000 and 600,000, according to most recent census data, from holding another elective government office.

§1A. Changes the title of status quo school systems currently in law and replaces it with electing not to request increased flexibility pursuant to this article.

§1B. Changes the title of IE2 school systems to strategic school systems.

§2. Amends O.C.G.A. 20-2-82 by removing the ability of the State Board to offer waivers of teacher evaluations for local school systems, as defined in O.C.G.A. 20-2-210.

§2A. Changes the title of IE2 school systems to strategic school systems.

§3. and §4. Clarifies that the state mandates content standards, not curriculum.

§5. Amends O.C.G.A. 20-2-140.1 by adding that students can register for online learning through the clearing-house established pursuant to Code Section 20-2-319.3.

§6. Revises language reflecting content standards, deletes language such as competencies and core curriculum.

§7. Clarifies the state mandates content standards and makes first grade readiness report by the State School Superintendent optional instead of mandatory.

§8. Clarifies that the state mandates content standards and repeals language regarding the middle grades program.

§9. §10. §11. and §12. Revises language reflecting content standards, deletes language such as competencies and core curriculum.

§13. §14. §15. and §16. Repeals all language pertaining to the middle grades program.

§17. Clarifies the state mandates content standards, not curriculum.

§18. Amends Code §20-2-205 to require all virtual school teachers, including out of state, to get certified by the Professional Standards Commission if they provide instruction to public schools in GA.



- §19. Amends Code §20-2-241 allowing the State School Superintendent to authorize the CFO to enter into contracts of \$50,000 or less on behalf of DOE.
- §20. Clarifies the state mandates content standards, not curriculum.
- §21. Amends O.C.G.A. 20-2-82 by removing the ability of the State Board to offer waivers of teacher evaluations for local school systems, as defined in O.C.G.A. 20-2-210.
- §22. Adds a new Code section, §20-2-244.1 which sets out definitions for students, substantial hardship, variance, and waiver. This Code section also outlines the authority of the State Board of Education to grant waivers and variances.
- §23. Amends subsection (b) of O.C.G.A. 20-2-260 relating to capital outlay by including expenditures for computer equipment and software that is necessary to implement curriculum, instruction, or administration. This section also defines "local school system" as any entity defined by DOE as an LEA.
- §24. Clarifies the state mandates content standards, not curriculum.
- §25. Clarifies the state mandates content standards, not curriculum. Revises O.C.G.A. 20-2-281 as it relates to assessments. Writing performance shall be assessed, at a minimum, for students in grades 5, 8, and 11, but additional grades levels may be designated by the State Board of Education. The state board will develop or adopt an alternate assessment for students with significant cognitive disabilities pursuant to Code Section 20-2-140. Deletes outdated language in section (k)(2). Allows kindergarten teachers the opportunity to participate in a staff development program regarding tests. Adds end-of-course assessments for science and socials studies for grades 3-8. Revised language from 'tests' to 'instruments'. Amends section (c) to clarify that State Board of Education has the authority to condition the awarding of high school diploma on end-of-course assessments. Allows the State Board of Education to consider an approved COMPASS score when considering a waiver for the high school graduation test. Deletes language referencing the High School Graduation Test.
- §26. Deletes language that was specific to the middle school program as both the middle school program and middle grades program are being funded in the same category now. Allows 'satisfactory business experience' to be considered as a minimum qualification for the school administrative manager position.
- §27. Reflecting the Executive Order by the Governor in 2013 to move the Governor's Honors Program to the Office of Student Achievement.
- §28. Clarifies the state mandates content standards, not curriculum.
- §29. Revises O.C.G.A. 20-2-315 by making the publication and distribution of the GaDOE annual report regarding expenditures and participation for each gender optional.
- §30. O.C.G.A. is amended to reflect current funding. Private and home-schooled students may enroll at no cost if appropriations are provided. If appropriations are not provided they may enroll at a cost not to exceed \$250 per semester. Local systems are responsible for paying for their enrolled students, and if that student enrolls in more than the maximum number of courses, then the student is subject to the cost of tuition not to exceed \$250 per semester.
- §31. and §32. Eliminate duplicate language from two online clearing-house bills passing in the same year.
- §33. Repealing and reserving O.C.G.A. 20-2-319.5, which required the DOE to submit a report by 12/1/12, identifying the best methods and strategies to assist local boards of education in acquiring digital learning.
- §34. and §35. Clarifies the state mandates content standards, not curriculum.
- §36. Amends O.C.G.A. 20-2-690, which would require the declaration of intent to utilize the home study program to also include the local school system in which the home study program is located.
- §37. and §38. If local employers do not contribute their share to the health insurance fund, the State Board of Education will only withhold enough funds to pay the obligation, rather than withholding all the funds. Those funds will be transmitted to the Department of Community Health.
- §39. Currently, the local board has until April 15th to serve a teacher with a nonrenewal notice and teachers have until May 1st to inform the local board of their intentions not to renew. This section extends those deadlines from April 15th to May 15th and from May 1st to June 1st.
- §40. This section amends O.C.G.A. to give the State Board of Education the authority to affirm, reverse, remand, or refer to mediation a local board tribunal decision that has been appealed to the state board.
- §41. Amends O.C.G.A. 20-2-2065 so that charter schools cannot waive the teacher performance evaluation provisions of O.C.G.A. 20-2-210.
- §42. Amends O.C.G.A. 20-2-2067.1 to change the date that charter schools are required to submit their annual report detailing progress.

§43. Revises O.C.G.A. 20-2-2084 by increasing the time frame a local board has to approve or deny a charter school petition to 90 days. A local board currently has 60 days to approve or deny a petition.

§44. Clarifies 5 mil share deduction for virtual / state-charter schools is in proportion to the initial funding received. This interpretation has already been funded in the Governor's AFY14, FY15, and FY16 budgets.

§45. Repeals an obsolete population bill.

**Authored By:** Rep. Mike Dudgeon (25th)  
**House Committee:** Education  
**Floor Vote:** Yeas: 170 Nays: 0

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-09-2015 Do Pass by Committee Substitute  
**Amendments:**

**HB 511 Pharmacists and pharmacies; technicians to fill remote automated medication systems in skilled nursing facilities and hospices; authorize**

Bill Summary: HB 511 allows a pharmacy technician to fill a remote automated medication system. If the remote automated medication system uses radio frequency identification (RFI) in the filling process, the pharmacy must retain an electronic record of the filling activities. If the system does not use RFI, the pharmacist must supervise the pharmacy technician during the filling process.

**Authored By:** Rep. Ron Stephens (164th)  
**House Committee:** Health & Human Services  
**Floor Vote:** Yeas: 167 Nays: 0

**Rule Applied:** Modified-Open  
**Committee Action:** 03-02-2015 Do Pass  
**Amendments:**

**HB 512 Mental health; governing and regulation; change certain terminology and provisions**

Bill Summary: This agency bill was brought forward by the Department of Behavioral Health and Developmental Disabilities to address the internal governance of the agency by reorganizing the current regional-based administrative structure with a combination of localized and centralized changes to improve the ability of the state office and local providers to ensure quality care is available to the entire state. The substantive changes in the bill move various regional administrative functions to the central office and reform the regional bodies towards providing an advisory rather than an administrative function.

**Authored By:** Rep. Rick Jasperse (11th)  
**House Committee:** Human Relations & Aging  
**Floor Vote:** Yeas: 169 Nays: 0

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-04-2015 Do Pass by Committee Substitute  
**Amendments:**

**HB 515 Tucker, City of; DeKalb County; incorporate**

Bill Summary: House Bill 515 authorizes a referendum to create the city of Tucker.

**Authored By:** Rep. Billy Mitchell (88th)  
**House Committee:** Governmental Affairs  
**Floor Vote:** Yeas: 128 Nays: 31

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-04-2015 Do Pass  
**Amendments:**

**HB 517 Echols County; board of education; provide nonpartisan elections**

Bill Summary: A Bill to provide for nonpartisan elections of the members of the Board of Education of Echols County.

**Authored By:** Rep. John Corbett (174th)  
**House Committee:** Intragovernmental Coordination  
**Floor Vote:** Yeas: 122 Nays: 56

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-05-2015 Do Pass  
**Amendments:**

**HB 520 LaVista Hills, City of; DeKalb County; incorporate**

Bill Summary: House Bill 520 authorizes a referendum to create the city of LaVista Hills.

**Authored By:** Rep. Tom Taylor (79th)  
**House Committee:** Governmental Affairs

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-04-2015 Do Pass

**Floor Vote:** Yeas: 129 Nays: 37

**Amendments:** AM 28 1388

**HB 524 Trade names; require registration with clerk of superior court; provisions**

Bill Summary: HB 524 establishes a state-wide electronic network of trade name registrations, reregistrations, and cancellations filed in Georgia superior courts, to be developed and implemented by the Georgia Superior Court Clerks' Cooperative Authority (GSCCCA), or its designated agent. The bill requires superior court clerks to participate in the network.

The bill maintains the current \$15 fee for filing and registering trade names. It adds a \$22 fee for cancelling a trade name registration, and a \$20 fee for reregistering an existing trade name in the electronic registry. On January 1, 2021, these fees are lowered to \$18 and \$16, respectively. The clerk of the superior court that collects these fees must remit \$5 from each fee collected to the GSCCCA. On January 1, 2021, that remittance is lowered to \$1 from each fee collected.

**Authored By:** Rep. Barry Fleming (121st)  
**House Committee:** Judiciary

**Rule Applied:** Modified-Open  
**Committee Action:** 03-05-2015 Do Pass

**Floor Vote:** Yeas: 163 Nays: 3

**Amendments:**

**HB 527 Counties; provide budget for population of two hundred thousand or more; repeal Act**

Bill Summary: A Bill to repeal a population act originally applicable to Fulton County relating to budget preparation.

**Authored By:** Rep. Wendell Willard (51st)  
**House Committee:** Intragovernmental Coordination

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-05-2015 Do Pass by Committee Substitute

**Floor Vote:** Yeas: 169 Nays: 0

**Amendments:**

**HB 540 Interstate cooperation; Senate Interstate Cooperation Committee and House Committee on Interstate Cooperation; clarify number of members**

Bill Summary: This bill clarifies the number of members of the Senate Interstate Cooperation Committee and the House Committee on Interstate Cooperation.

**Authored By:** Rep. Matt Dollar (45th)  
**House Committee:** Interstate Cooperation

**Rule Applied:** Modified-Open  
**Committee Action:** 03-04-2015 Do Pass

**Floor Vote:** Yeas: 167 Nays: 0

**Amendments:**

**HB 566 State house districts; boundaries of certain districts; revise**

Bill Summary: HB 566 alters certain House districts around the state. Districts altered by the legislation include: 27, 30, 53, 55, 59, 60, 73, 104, 105, 109, 110, 111, 130, 165, 166, 176 and 177. This impacts districts in Butts, Bryan, Chatham, Clayton, Cobb, Fayette, Fulton, Gwinnett, Hall, Henry, Lamar, Lowndes, Newton, Rockdale, Spalding, Ware and White counties.

**Authored By:** Rep. Randy Nix (69th)  
**House Committee:** Legislative & Congressional Reapportionment

**Rule Applied:** Structured  
**Committee Action:** 03-09-2015 Do Pass by Committee Substitute

**Floor Vote:** Yeas: 168 Nays: 0

**Amendments:**

**HR 394 Sales and use tax; distribution of net proceeds for educational purposes between a county school system and one or more independent school systems; provide - CA**

Bill Summary: House Resolution 394 is a state constitutional amendment ballot question to allow the distribution of the sales and use tax to include participating independent school systems within the same county. The ballot question would ask: "Shall the Constitution of Georgia be amended so as to provide for distribution of a sales and use tax for education among all the school systems within a county?"

**Authored By:** Rep. Randy Nix (69th)  
**House Committee:** Education

**Rule Applied:** Structured  
**Committee Action:** 03-09-2015 Do Pass by Committee Substitute  
**Amendments:**

**Floor Vote:** Yeas: 164 Nays: 8

**SB 103 Sales of Alcoholic Beverages on Sunday; allow for local authorization; consumption on the premises on Sundays during St. Patrick's Day holiday period**

Bill Summary: SB 103 allows for alcohol consumption on premises in the City of Savannah for the St. Patrick's Day Holiday week by allowing for local authorization to sell such beverages beginning at 5:30 a.m.

**Authored By:** Sen. Lester Jackson (2nd)  
**House Committee:** Regulated Industries

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-10-2015 Do Pass  
**Amendments:**

**Floor Vote:** Yeas: 144 Nays: 21

**Postponed Until Next Legislative Day****HB 16 Education; no high school which receives funding from Quality Basic Education Act shall participate in or sponsor interscholastic sports events unless students enrolled in magnet schools can participate under certain conditions; provide**

Bill Summary:

House Bill 16 would require high schools which receive funding under QBE to only participate in, sponsor, or provide coaching staff for athletic events that are affiliated with an athletic association which allows magnet students to participate. Local school systems decide whether to allow magnet school students to participate in their athletics.

**Authored By:** Rep. Brian Prince (127th)

**Rule Applied:** Modified-Open

**HB 476 Fulton County Industrial District; repeal amendment; provisions**

Bill Summary: House Bill 476 repeals the amendment to the Constitution of Georgia that created the Fulton County Industrial District within Fulton County and prohibits the governing authority of Fulton County from levying any tax for educational purposes within such district. This is a companion bill to the legislation creating the city of South Fulton.

**Authored By:** Rep. Virgil Fludd (64th)

**Rule Applied:** Modified-Open

**HB 514 South Fulton, City of; Fulton County; incorporate**

Bill Summary: House Bill 514 creates the city of South Fulton.

**Authored By:** Rep. Roger Bruce (61st)

**Rule Applied:** Modified-Structured

**Local Calendar****HB 523 Waycross, City of; change corporate limits**

Bill Summary: A Bill to amend an Act providing a new charter for the City of Waycross, so as to change the corporate limits.

**Authored By:** Rep. Chad Nimmer (178th)  
**House Committee:** Intragovernmental Coordination - Local  
**Floor Vote:** Yeas: 165 Nays: 0  
**Rule Applied:**  
**Committee Action:** 03-09-2015 Do Pass  
**Amendments:**

**HB 532 Cobb County; powers of improvement districts; add a certain provision**

Bill Summary: A Bill to amend an Act creating one or more community improvement districts in Cobb County and each municipality therein.

**Authored By:** Rep. Albert Reeves (34th)  
**House Committee:** Intragovernmental Coordination - Local  
**Floor Vote:** Yeas: 165 Nays: 0  
**Rule Applied:**  
**Committee Action:** 03-09-2015 Do Pass  
**Amendments:**

**HB 533 Randolph County; Board of Commissioners; change compensation of chairperson and other members**

Bill Summary: A Bill to amend an Act creating the Board of Commissioners of Randolph County, so as to change the compensation of the chairperson and other members.

**Authored By:** Rep. Gerald Greene (151st)  
**House Committee:** Intragovernmental Coordination - Local  
**Floor Vote:** Yeas: 165 Nays: 0  
**Rule Applied:**  
**Committee Action:** 03-09-2015 Do Pass  
**Amendments:**

**HB 545 Sumner, Town of; four-year terms for mayor and councilmembers; provide**

Bill Summary: A Bill to provide for four-year terms for the mayor and councilmembers of the town of Sumner.

**Authored By:** Rep. Ed Rynders (152nd)  
**House Committee:** Intragovernmental Coordination - Local  
**Floor Vote:** Yeas: 165 Nays: 0  
**Rule Applied:**  
**Committee Action:** 03-09-2015 Do Pass  
**Amendments:**

**HB 546 McIntosh County; board shall consist of five members; provide**

Bill Summary: A Bill to amend an Act to create the board of elections and registration for McIntosh County, so as to provide that the board shall consist of five members.

**Authored By:** Rep. J. B. Jones (167th)  
**House Committee:** Intragovernmental Coordination - Local  
**Floor Vote:** Yeas: 165 Nays: 0  
**Rule Applied:**  
**Committee Action:** 03-09-2015 Do Pass  
**Amendments:**

**HB 550 Burke County Economic Development Authority; repeal conflicting laws**

Bill Summary: A Bill to repeal an Act creating the Burke County Economic Development Authority.

**Authored By:** Rep. Gloria Frazier (126th)  
**House Committee:** Intragovernmental Coordination - Local  
**Floor Vote:** Yeas: 165 Nays: 0  
**Rule Applied:**  
**Committee Action:** 03-09-2015 Do Pass  
**Amendments:**

**HB 553 Forsyth, City of; provide a new charter**

Bill Summary: A Bill to provide a new charter for the City of Forsyth.

**Authored By:** Rep. Robert Dickey (140th)  
**House Committee:** Intragovernmental Coordination -  
**Rule Applied:**  
**Committee Action:** 03-09-2015 Do Pass

**Floor Vote:** Local  
Yeas: 165 Nays: 0

**Action:**  
**Amendments:**

**HB 554 Henry County; Board of Commissioners; authority, roles, and responsibilities of chairperson, board of commissioners and county manager; define**

Bill Summary: A Bill to amend the Board of Commissioners of Henry County, so as to further define authority, roles, and responsibilities of members.

**Authored By:** Rep. Dale Rutledge (109th)  
**House Committee:** Intragovernmental Coordination -  
Local

**Rule Applied:**  
**Committee** 03-09-2015 Do Pass  
**Action:**

**Floor Vote:** Yeas: 165 Nays: 0

**Amendments:**

## **Next on the Floor from the Committee on Rules**

*The Committee on Rules has fixed the calendar for the 30th Legislative Day, Friday, March 13, and bills may be called at the pleasure of the Speaker. The Rules Committee will next meet on Friday, March 13, at 8:00 a.m., to set the Rules Calendar for the 31st Legislative Day.*

### **HB 21 Transit authority; creation of; metropolitan areas; repeal a population provision**

**Bill Summary:** House Bill 21 relates to the creation of the transit authority by special legislation and the authority's attributes and powers. Effective July 1, 2015, whenever a transit authority or a county public transit provider is in operation within the territory delimited by the General Assembly of a new transit authority established under this Code section, an intergovernmental agreement shall be entered into between the transit authority or county public transit provider currently in operation.

**Authored By:** Rep. John Carson (46th)

**House Committee:** Transportation

**Rule Applied:** Modified-Open

**Committee Action:** 03-04-2015 Do Pass

### **HB 48 Special license plates; include surviving spouse of a sibling of service member killed in action; extend eligibility**

**Bill Summary:** House Bill 48 is the annual omnibus license plate bill. Section 1 relates to prestige license plates and special plates for certain persons and vehicles by adding a new Code section that states that any law enforcement officer, firefighter, emergency medical services personnel, ambulance driver, or other similarly employed public safety first responder who has sustained a major injury during his or her duties may apply to receive such special license plate. There is a one-time \$25 manufacturing fee and a \$35 yearly registration fee which shall be collected by the county tag agent.

Section 2 relates to free license plates and revalidation decals for certain disabled veterans by stating that any disabled veteran who is a citizen and resident of the State of Georgia shall be issued a free motor vehicle license plate upon application. The term "disabled veteran" means any veteran who was discharged under honorable conditions and who has been adjudicated by the United States Department of Veterans Affairs as being 100 percent disabled or as being less than 100 percent disabled but is compensated at the 100 percent level due to individual un-employability.

Section 3 relates to special and distinctive license plates for veterans by adding motorcycles to the list of vehicles able to receive such license plates.

Section 4 relates to special license plates honoring family members of service members killed in action by adding that a surviving spouse of such service member's sibling may apply for a Gold Star license plate.

Section 5 relates to special license plates promoting certain beneficial projects and supporting certain worthy agencies, funds, or nonprofit corporations by stating that no special license plates authorized pursuant to subsections (l), (m), and (n) of this Code section shall be issued except upon the receipt by the department of at least 1,000 prepaid applications along with manufacturing fees.

Section 6 relates to ad valorem taxation of property by relating to eligibility and filing requirements for homestead extension for a qualified disabled veteran but stating that any veteran who was discharged under honorable conditions and who has been adjudicated by the United States Department of Veterans Affairs as being 100 percent disabled (or is compensated at the 100 percent level) is entitled to receive a statutory award from the United States Department of Veterans Affairs.

Section 7 relates to constitutional exemption from ad valorem taxation for disabled veterans by stating that once a disabled veteran has established his or her eligibility for such ad valorem tax exemption by being 100 percent disabled, he or she shall be entitled to receive such ad valorem tax exemption in succeeding years thereafter but must furnish proof of such disability through a letter from the United States Department of Veterans Affairs. If a disabled veterans disability has not been adjudicated at 100 percent total disability, he or she shall be entitled to such ad valorem tax exemption in succeeding years upon furnishing, on an annual basis, proof of their disabled status from the United States Department of

Veteran Affairs. In the event of the death of a disabled veteran who received such tax exemption, his or her unmarried surviving spouse or minor child may continue to receive the exemption.

**Authored By:** Rep. Brooks Coleman (97th)  
**House Committee:** Motor Vehicles

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-09-2015 Do Pass by Committee Substitute

**HB 94 Ad valorem tax; certain members of armed forces from penalties for failure to timely pay tax; exempt**

Bill Summary: HB 94 precludes any interest or penalties that might be assessed against the ad valorem taxes due on a vehicle when the owner has voluntarily canceled the registration of the vehicle, and the tax collector fails to adequately bill the taxpayer. This does not affect the amount of taxes actually due while the registration has been canceled, but it does apply to the penalties that might have been assessed for failure to pay taxes due.

**Authored By:** Rep. Chuck Williams (119th)  
**House Committee:** Ways & Means

**Rule Applied:** Structured  
**Committee Action:** 03-03-2015 Do Pass by Committee Substitute

**HB 131 The End to Cyberbullying Act; enact**

Bill Summary: House Bill 131 changes public school policies on bullying so that they include cyberbullying. Bullying would now also be prohibited through the use of technological equipment such as cell phones, wireless communication devices, computers, email, instant messaging, etc.

**Authored By:** Rep. Pam Dickerson (113th)  
**House Committee:** Education

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-02-2015 Do Pass by Committee Substitute

**HB 268 Child abuse; mandatory reporters; change provisions**

Bill Summary: This legislation strengthens the laws requiring mandatory reporting of child abuse by certain types of employees. It requires individuals who are employees or volunteers where their duty is to attend to a child, such as a school, hospital, or social agency, must report to the person in charge of that facility whenever they receive reliable information that child abuse has occurred. The individual in charge of the institution, or the person delegated to receive the report, may not exercise control over the person writing the report or make any change to the information that is provided to them. Prior to receiving the report, they may be consulted prior to the report and may provide additional relevant information. The bill also allows reports to be filed by telephone, email, or facsimile. Oral reports must be followed up with a written report. The initial report must be filed within 24 hours from the time there is a reasonable suspicion of abuse.

**Authored By:** Rep. Mandi Ballinger (23rd)  
**House Committee:** Juvenile Justice

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-02-2015 Do Pass by Committee Substitute

**HB 297 Professional licensing boards; make designations for the receipt and processing of applications for examination; provide**

Bill Summary: HB 297 allows for professional licensing boards in Georgia to delegate administrative functions to a national board, if approved by the members of the local Georgia board.

**Authored By:** Rep. Beth Beskin (54th)  
**House Committee:** Regulated Industries

**Rule Applied:** Open  
**Committee Action:** 02-19-2015 Do Pass

**HB 322 Foreclosure; provide for recording of deeds under power within a certain time after sale; provisions**

Bill Summary: HB 322 institutes a penalty for failure to file a deed under power after a foreclosure sale. Currently, the law allows 90 days from the foreclosure sale for filing of a deed under power with the clerk of the superior court of the county or counties in which the foreclosed property is located. HB 322 requires the holder of the deed under power to pay a late filing penalty of \$500 upon filing, in



addition to required filing fees if the deed under power is not filed within 120 days of the foreclosure sale.

The bill specifies that the clerk of the applicable superior court collects the penalty before the deed under power is filed. The sums are then remitted to the governing authority of the county. If the foreclosed property is located within a city, the county governing authority must remit the sums to the city governing authority within 30 days after receipt of the sums. For each late filing penalty for property located within a city, the county governing authority may withhold a five percent administrative processing fee from the remittance to the city.

**Authored By:** Rep. Brian Strickland (111th)  
**House Committee:** Judiciary

**Rule Applied:** Modified-Open  
**Committee Action:** 03-05-2015 Do Pass by Committee Substitute

**HB 343 Lamar County; Board of Education; members elected on nonpartisan basis; provide**

Bill Summary: House Bill 343 amends an Act providing for the election of members of the Lamar County Board of Education to provide that members of the board of education shall be elected on a nonpartisan basis.

**Authored By:** Rep. Johnnie Caldwell (131st)  
**House Committee:** Intragovernmental Coordination

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-05-2015 Do Pass

**HB 369 Sales and use tax; distribution for educational purposes; change certain provisions**

Bill Summary: HB 369 provides for the ability for independent school systems and county schools systems to enter into an agreement to divide the funds received through E-SPLOST. Currently, any deviation from the constitutional formula only occurs when allotted by a local Act.

**Authored By:** Rep. Randy Nix (69th)  
**House Committee:** Ways & Means

**Rule Applied:** Structured  
**Committee Action:** 03-03-2015 Do Pass

**HB 375 Motor vehicles; driving with suspended, canceled, or revoked registration; change provisions relating to plea of nolo contendere**

Bill Summary: This legislation allows a driver cited for driving a motor vehicle with a suspended, cancelled, or revoked vehicle license to plead nolo contendere. The nolo plea can only be used once within a five year period, measured from the date of the last previous offense resulting in a conviction or a nolo plea. Any other nolo plea within the time period will constitute a conviction.

**Authored By:** Rep. Jay Powell (171st)  
**House Committee:** Judiciary Non-Civil

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-04-2015 Do Pass

**HB 393 Motor vehicles fair practices; restrictions on ownership, operation, or control of dealerships by manufacturers and franchisors; provide exception**

Bill Summary: House Bill 393 allows manufacturers of zero emission vehicles that were doing business prior to January 1, 2015, to sell factory direct to consumers. This is a narrowly-crafted exception to Georgia's dealership law. Manufacturers are allowed to build up to five brick and mortar facilities, of which two must be designed to do maintenance on their vehicles.

**Authored By:** Rep. Chuck Martin (49th)  
**House Committee:** Motor Vehicles

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-09-2015 Do Pass by Committee Substitute

**HB 426 Sales and use tax; provide new exemption only for limited period of time regarding tangible personal property to certain nonprofit health centers; provisions**

Bill Summary: HB 426 provides for a two year sales tax exemption for certain non-profit health centers. The exemption will run from July 1, 2015 through June 30, 2017. The specific health centers that qualify for the exemptions are federally qualified nonprofit health centers (FQHCs) and nonprofit

volunteer health clinics. Additionally, the legislation requires that any clinic taking the exemption must submit certain data to the Department of Revenue.

**Authored By:** Rep. Darlene Taylor (173rd)  
**House Committee:** Ways & Means

**Rule Applied:** Structured  
**Committee Action:** 03-09-2015 Do Pass by Committee Substitute

#### **HB 436 Georgia HIV/Syphilis Pregnancy Screening Act of 2015; enact**

Bill Summary: HB 436 requires a physician or health care provider who provides prenatal care to a pregnant woman to also offer to test her for HIV and syphilis during her third trimester of pregnancy. Further, under HB 436, if at the time of delivery there is no written evidence that an HIV or syphilis test has been performed, the physician shall order such a test.

**Authored By:** Rep. Valerie Clark (101st)  
**House Committee:** Health & Human Services

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-02-2015 Do Pass by Committee Substitute

#### **HB 443 Voluntary Veterans' Preference Employment Policy Act; enact**

Bill Summary: House Bill 443 permits employers to create policies that provide preferential hiring, promoting, or retention to veterans of the armed forces of the United States.

**Authored By:** Rep. Katie Dempsey (13th)  
**House Committee:** Industry and Labor

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-05-2015 Do Pass

#### **HB 474 Charter schools; enrollment priorities for educationally disadvantaged students and military students; provide**

Bill Summary: House Bill 474 allows start-up charter schools, conversion charter schools, and state chartered special schools to give preference, in the event of a lottery for admission, to educationally disadvantaged students or students with a parent who is active-duty military. Educationally disadvantaged students would include students who are economically disadvantaged, have a disability, are migrant, have limited English proficiency, are neglected or delinquent, or are homeless.

**Authored By:** Rep. Margaret Kaiser (59th)  
**House Committee:** Education

**Rule Applied:** Modified-Open  
**Committee Action:** 03-04-2015 Do Pass by Committee Substitute

#### **HB 496 Ad valorem tax; the use of certain property for collection and conversion of solar energy shall not constitute a breach of conservation use covenants; provide**

Bill Summary: This legislation alters the Conservation Use Valuation Assessment statute to allow land owners who own property in a covenant and wish to install solar power panels to be allowed to remove such property from the covenant without causing a breach. The installed panels and underlying property will then be taxed at the fair market value.

**Authored By:** Rep. Matt Hatchett (150th)  
**House Committee:** Ways & Means

**Rule Applied:** Structured  
**Committee Action:** 03-09-2015 Do Pass by Committee Substitute

#### **HB 510 Georgia Sports Commission Fund; create; provisions**

Bill Summary: HB 510 amends Chapter 34 of Title 50 to provide for the creation of the Georgia Sports Commission Fund. More specifically, the bill allows any registered sporting commission to apply for and receive grants from the Georgia Sports Commission Fund for expenses related to the registered commission's sporting activity. The bill permits the Georgia Sports Commission Fund to receive funding from any source allowable by law except for funding from settlements involving lawsuits against tobacco companies. The bill also outlines the fund's accounting procedures and procedures for the appointment of the fund's committee.

**Authored By:** Rep. Ron Stephens (164th)  
**House Committee:** Economic Development & Tourism

**Rule Applied:** Modified-Open  
**Committee Action:** 03-04-2015 Do Pass

**Action:****HR 215 Judge Ronald L. Newton Memorial Highway; Fannin County; dedicate**

Bill Summary: House Resolution 215 dedicates a road in memory of the Honorable Ronald Lee Newton. Therefore, be it resolved and enacted by the General Assembly of Georgia that State Route 60 in Fannin County from its intersection with State Route 60 Spur in Mineral Bluff to the city limits of McCaysville is dedicated as the Judge Ronald L. Newton Memorial Highway.

**Authored By:** Rep. David Ralston (7th)  
**House Committee:** Transportation

**Rule Applied:** Modified-Structured  
**Committee** 03-05-2015 Do Pass  
**Action:**

**HR 519 Mixon, Mr. Harry; Mr. Brad Dorminy; name building in their honor; recognize**

Bill Summary: HR 519 renames a building on the campus of the Wiregrass Georgia Technical College in honor of Mr. Harry Mixon and Mr. Brad Dorminy.

**Authored By:** Rep. Jay Roberts (155th)  
**House Committee:** State Planning & Community Affairs

**Rule Applied:** Modified-Structured  
**Committee** 03-05-2015 Do Pass by Committee  
**Action:** Substitute

## Committee Actions

*Bills passing committees are reported to the Clerk's Office and are placed on the General Calendar.*

### Governmental Affairs Committee

#### **HB 370 Elections; provide for waivers of certain civil penalties and fees incurred by candidates for local elected office; provisions**

Bill Summary: House Bill 370 provides for waivers of fines and fees incurred by candidates for local elected office. Upon written request of a candidate or in a response by the candidate to any notification from the State Elections Commission alleging noncompliance with filings required between January 1, 2010 and January 10, 2014, the commission shall be authorized to waive late fees, fines, and civil penalties incurred by candidates for public office.

It allows the House and Senate party caucuses to create political action committees.

It provides that after January 1, 2016, a person seeking qualification to run for public office shall not do so until all outstanding fines due the Elections Commission have been paid.

**Authored By:** Rep. Barry Fleming (121st)

**House Committee:** Governmental Affairs

**Committee Action:**

03-11-2015 Do Pass by Committee Substitute

#### **HB 432 Annexation of territory; local Acts providing for deannexation of property from a municipality and annexation of same property to another municipality which are effective on the same day do not create a prohibited unincorporated island; provide**

Bill Summary: House Bill 432 provides that local Acts providing for the deannexation of property from a municipality and the annexation of the same property to another municipality, which are effective on the same date, do not create a prohibited unincorporated island.

**Authored By:** Rep. Brad Raffensperger (50th)

**House Committee:** Governmental Affairs

**Committee Action:**

03-11-2015 Do Pass

#### **HB 551 Public officers and employees; authorize political subdivisions to provide for voluntary contributions by employees through payroll deductions to certain not for profit organizations; provisions**

Bill Summary: House Bill 551 expands to local governments a program under current law that allows state employees to voluntarily agree to payroll deductions to purchase certain consumer goods and services. This program will be administered by the Department of Administrative Services.

**Authored By:** Rep. Buzz Brockway (102nd)

**House Committee:** Governmental Affairs

**Committee Action:**

03-11-2015 Do Pass by Committee Substitute

### Information and Audits Committee

#### **HB 565 Agriculture; Georgia Tobacco Community Development Board Overview Committee; eliminate**

Bill Summary: HB 565 eliminates the Georgia Tobacco Community Development Board Overview Committee, which is a joint legislative oversight committee for the Georgia Tobacco Community Development Board.

**Authored By:** Rep. Mike Cheokas (138th)

**House Committee:** Information and Audits

**Committee Action:**

03-11-2015 Do Pass

## Retirement Committee

### **HB 422 Georgia Public Defender Standards Council; change council name to Georgia Public Defender Council**

Bill Summary: This bill amends O.C.G.A. 47-2-323 relating to Georgia Public Defenders Standards Council. This bill changes the name of the council from "Georgia Public Defender Standards Council" to "Georgia Public Defender Council" to align with HB 328 (2015 Session). This law becomes effective July 1, 2016 only if HB 328 is enacted and becomes law. This bill has been certified by the Georgia Department of Audits and Accounts as a nonfiscal retirement bill.

**Authored By:** Rep. Chad Nimmer (178th)

**House  
Committee:** Retirement

**Committee  
Action:**

03-11-2015 Do Pass

## Committee Meeting Schedule

*This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change.*

*To keep up with the latest schedule, please visit [www.house.ga.gov](http://www.house.ga.gov) and click on [Meetings Calendar](#).*

### Thursday, March 12, 2015

10:00 AM [NATURAL RESOURCES & ENVIRONMENT](#) 506 CLOB

10:00 AM [MARTOC](#) 406 CLOB

1:00 PM [INDUSTRY & LABOR](#) 406 CLOB